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Substitute Form PTO 1390 U.S. Department of Commerce Patent and Trademark Office

Attorney Docket Number:

50026/060001

U.S. Application Number:

Not Yet Assigned

TRANSMITTAL LETTER TO THE UNITED STATES
DESIGNATED/ELECTED OFFICE (DO/EO/US)
CONCERNING A FILING UNDER 35 U.S.C. § 371

INTERNATIONAL APPLICATION NUMBER

INTERNATIONAL FILING DATE

PRIORITY DATE CLAIMED

PCT/JP2005/000705

January 20, 2005

January 22, 2004

TITLE OF INVENTION:

METHODS FOR PRODUCING MINUS-STRAND RNA VIRAL VECTORS USING HYBRID PROMOTER COMPRISING CYTOMEGALOVIRUS ENHANCER AND CHICKEN β -ACTIN PROMOTER (AS AMENDED)

APPLICANTS FOR DO/EO/US:

Akihiro Iida, Hiroshi Ban, Makoto Inoue, Takahiro Hirata, and Mamoru Hasegawa

Applicant herewith submits to the United States Designated/Elected Office (DO/EO/US) the following items and other information:

1. ☒ This is a FIRST submission of items concerning a filing under 35 U.S.C. § 371.
2. ☐ This is a SECOND or SUBSEQUENT submission of items concerning a filing under 35 U.S.C. § 371.
3. ☒ This is an express request to begin national examination procedures (35 U.S.C. § 371(f)).
4. ☒ The U.S. has been elected.
5. A copy of the International Application (35 U.S.C. § 371(c)(2)).
 - ☒ a. is transmitted herewith (required only if not transmitted by the International Bureau).
 - ☒ b. has been transmitted by the International Bureau.
 - ☐ c. is not required, as the application was filed with the United States Receiving Office (RO/US).
6. An English language translation of the International Application into English (35 U.S.C. § 371(c)(2)).
 - ☒ a. is transmitted herewith.
 - ☐ b. has been previously submitted under 35 U.S.C. 154(d)(4).
7. Amendments to the claims of the International Application under PCT Article 19 (35 U.S.C. § 371(c)(3)).
 - ☐ a. are transmitted herewith (required only if not transmitted by the International Bureau).
 - ☐ b. have been transmitted by the International Bureau.
 - ☐ c. have not been made; however, the time limit for making such amendments has NOT expired.
 - ☒ d. have not been made and will not be made.
8. ☐ An English language translation of the amendments to the claims under PCT Article 19 (35 U.S.C. § 371(c)(3)).
9. ☒ An oath or declaration of the inventors (35 U.S.C. § 371(c)(4)) (unsigned) (3 pages).
10. ☐ An English language translation of the annexes to the International Preliminary Examination Report under PCT Article 36 (35 U.S.C. § 371(c)(5)).
11. ☐ An Information Disclosure Statement under 37 C.F.R. §§ 1.97 and 1.98.
12. ☐ An assignment for recording. A separate cover sheet in compliance with 37 C.F.R. §§ 3.28 and 3.31 is included.
13. ☒ A preliminary amendment (8 pages).
14. ☐ A substitute specification.
15. ☐ A power of attorney and/or change of address letter.
16. ☐ Request for Deferred Examination.
17. ☒ Application Data Sheet (5 pages).
18. ☒ Other items or information:
Sequence Listing (12 pages); Sequence Statement (2 pages); 1 Diskette; Application Cover Sheet (1 page); PCT/RO/101 (6 pages); 1/E (1 page); PCT/ISA/202 (1 page); PCT/ISA/210 (4 pages); PCT/ISA/220 (4 pages); PCT/ISA/237 (3 pages); PCT/IPEA/401 (4 pages); PCT/IPEA/402 (1 page); PCT/IPEA/409 (5 pages); PCT/IPEA/416 (2 pages); PCT/IB/301 (3 pages); PCT/IB/304 (1 page); PCT/IB/308 (2 pages); PCT/IB/332 (1 page); and return receipt postcard.
19. ☒ The following fees are submitted:

Basic National Stage Fee: \$300				\$300.00	
National Stage Search Fee If the written opinion prepared by ISA/US or the international preliminary examination report prepared by IPEA/US indicates all claims satisfy provisions of PCT Article 33(1)-(4): \$0 Search fee (37 C.F.R. § 1.445(a)(2)) has been paid on the international application to the USPTO as an International Search Authority: \$100 International Search Report prepared by an ISA other than the US and provided to the Office or previously communicated to the US by the IB: \$400 All other situations: \$500				\$400.00	
National Stage Examination Fee If the written opinion prepared by ISA/US or the international preliminary examination report prepared by IPEA/US indicates all claims satisfy provisions of PCT Article 33(1)-(4): \$0 All other situations: \$200				\$200.00	
Surcharge of \$130 for furnishing any of the search fee, examination fee, or the oath or declaration after the date of commencement of the national stage (37 C.F.R. § 1.492(h)).				\$	
CLAIMS	NUMBER FILED	NUMBER EXTRA	RATE		
Total claims	28 - 20 =	8	x \$50	\$400.00	
Independent claims	3 - 3 =	0	x \$200	\$	
Multiple dependent claims (if applicable)			+ \$360	\$	
Application Size Fee: Additional fee for specification and drawings in paper over 100 sheets (excluding sequence listing or computer program listing filed in an electronic medium). The fee is \$250 for each additional 50 sheets of paper or fraction thereof.					
TOTAL SHEETS	EXTRA SHEETS	Number of each additional 50 sheets or fraction thereof (round up to a whole number)	RATE		
93-100=	/50=		X\$250	\$	
TOTAL OF ABOVE CALCULATIONS =				\$ 1300.00	
Reduction of 1/2 for filing by small entity, if applicable.				\$	
SUBTOTAL =				\$ 1300.00	
Processing fee of \$130.00 for furnishing the English translation later than 30 months from the earliest claimed priority date (37 C.F.R. § 1.492(f)).				+	\$
TOTAL NATIONAL FEE =				\$ 1300.00	
Fee for recording the enclosed assignment (37 C.F.R. 1.21(h)). The assignment must be accompanied by an appropriate cover sheet (37 C.F.R. §§ 3.28, 3.31). \$40.00 per property.				+	\$
TOTAL FEES ENCLOSED =				\$ 1300.00	
				Amount to be refunded	\$
				charged	\$
<input checked="" type="checkbox"/> a. Enclosed is a check for \$1300.00 to cover the total fees. <input type="checkbox"/> b. Enclosed is a check for [**\$300/\$150**] to cover the basic national stage fee; no other fees are being paid at this time. <input type="checkbox"/> c. Please charge my Deposit Account No. 03-2095 in the amount of \$[**] to cover the above fees. <input checked="" type="checkbox"/> d. The Commissioner is hereby authorized to charge any additional fees which may be required, or credit any overpayment, to Deposit Account No. 03-2095.					
NOTE: Where an appropriate time limit under 37 C.F.R. §§ 1.494 or 1.495 has not been met, a petition to revive (37 C.F.R. § 1.137(a) or (b)) must be filed and granted to restore the application to pending status.					
SEND ALL CORRESPONDENCE TO:					
James D. DeCamp, Ph.D. Clark & Elbing LLP 101 Federal Street Boston, MA 02110-2214			Telephone: 617-428-0200 Facsimile: 617-428-7045 Customer No.: 21559		
			Signature James D. DeCamp, Ph.D. Reg. No. 43,580		